

# Iowa Department of Natural Resources Environmental Services Division Report of Hazardous Conditions

During the period June 1, 2006, through June 26, 2006, 61 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance				Mode				
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	48 (52)	6 (2)	29 (29)	13 (21)	13 (17)	28 (27)	0 (2)	2 (2)	1 (0)	4 (4)
November	55 (68)	10 (14)	35 (33)	10 (20)	16 (21)	28 (34)	0 (1)	3 (2)	1 (0)	7 (10)
December	51 (58)	5 (8)	32 (34)	14 (16)	18 (19)	29 (29)	2 (3)	1 (2)	0 (0)	1 (5)
January	62 (58)	4 (6)	35 (36)	23 (16)	18 (20)	32 (28)	0 (1)	1 (1)	0 (1)	11 (7)
February	49 (46)	2 (4)	36 (25)	11 (17)	10 (12)	35 (24)	1 (4)	2 (2)	0 (1)	1 (3)
March	54 (70)	2 (11)	40 (43)	12 (16)	16 (25)	29 (33)	2 (1)	2 (1)	0 (3)	5 (7)
April	96 (102)	32 (35)	39 (46)	25 (21)	26 (32)	56 (51)	1 (2)	3 (3)	1 (3)	9 (11)
May	59 (60)	14 (20)	34 (29)	11 (11)	24 (23)	29 (29)	0 (1)	1 (3)	1 (0)	4 (4)
June	61 (73)	15 (12)	31 (44)	15 (17)	21 (17)	31 (43)	0 (2)	0 (5)	0 (1)	9 (5)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	535 (587)	90 (112)	311 (319)	134 (155)	162 (186)	297 (298)	6 (17)	15 (21)	4 (9)	51 (56)

(numbers in parentheses for same period last year)

\*Other includes dumping, theft, vandalism and unknown

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
6	17	9	7	17	5

**IOWA DEPARTMENT OF NATURAL RESOURCES  
COMPLIANCE AND ENFORCEMENT BUREAU**

**DATE:** July 1, 2006  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	10,000	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Donald and Marie Phillips (Milo)	WW	1,300	7-09-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,800	8-01-01
Dennis Seversson d/b/a Huxley Dry Cleaners (Huxley)	AQ	4,500	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	242	3-08-02
Charlotte Caves (Oskaloosa)	HC	10,000	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	1,701	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
Wilbur McNear d/b/a McNear Oil Co. (Onawa)	UT	3,930	12-17-02
Jeff Reed d/b/a Reed's Service (Lenox)	UT	7,250	1-12-03
Allan Scott (Marion Co.)	SW/WW	1,150	1-15-03
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Duane Crees (Muscataine Co.)	AQ/SW	963	3-01-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Mobile World LC (Clinton Co.)	SW	2,250	6-29-03
McMahon's Bar & Ballroom (Andover)	WS	500	8-08-03
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	2,458	12-15-03
Robert L. Nelson (Orient)	UT	657	12-26-03

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

<b>Mark Anderson (Des Moines Co.)</b>	AQ/SW	6,188	3-22-04
<b>Mike Phillips aka Jeff Phillips (Cambridge)</b>	AQ	5,000	3-27-04
<b>Mike Messerschmidt (Martinsburg)</b>	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
R. Victor Hanks; Mobile World L.C. (Camanche)	WW	10,000	5-23-04
<b>Emer Carlson (Fairfield)</b>	AQ	6,500	6-01-04
<b>#*Floyd Kroeze (Butler Co.)</b>	AFO	1,500	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
<b>Mitchell Town Pump (Mitchell)</b>	WS	2,080	6-16-04
<b># Dunphy Poultry (Union Co.)</b>	AFO	1,500	6-27-04
<b>Shane Preder (Ft. Madison)</b>	AQ	750	7-12-04
<b>James L. Heal d/b/a A-1 Domestic (Homestead)</b>	SW/WW	1,800	7-16-04
<b>Ranch Supper Club (Swisher)</b>	WS	1,900	8-02-04
<b>Ossian Agri Center, Inc. (Ossian)</b>	WW/HC	931	8-02-04
<b># Phillip Renze; Doug Renze (Sac Co.)</b>	AFO	2,000	8-03-04
<b>#*James Boller (Kalona)</b>	AFO	4,304	8-19-04
<b># Cash Brewer (Cherokee Co.)</b>	AFO/SW	10,000	8-25-04
<b>Spillway Supper Club (Harpers Ferry)</b>	WS	1,500	9-06-04
<b>David Niklasen (Shelby Co.)</b>	SW	100	9-11-04
<b># Doorenbos Poultry; Scott Doorenbos (Sioux Co.)</b>	AFO	1,500	10-09-04
<b>T &amp; T Corner Bar (McIntire)</b>	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
<b># Jason Fox (Audubon Co.)</b>	AFO	1,000	11-27-04
<b># Norm Cleveringa (Lyon Co.)</b>	AFO	750	11-27-04
<b>Americana Bowl (Ft. Madison)</b>	WS	100	11-28-04
<b>Howard Traver, Jr. (Cass Co.)</b>	SW	3,000	12-14-04
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
<b>Denzel Edwards (Cass Co.)</b>	AQ/SW/HC	500	3-01-05
Roquette America, Inc. (Keokuk)	WW	10,000	3-04-05
<b>* Fran Oil Company (Council Bluffs)(3 Admin. Orders)</b>	UT	4,300	4-09-05
<b># Mike Rausch; Justin Rausch (O'Brien Co.)</b>	AFO	2,000	4-02-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
ARC Communities 8 LLC; Sunrise MHP (Newton)	WW	2,000	4-23-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
<b>#*Dennis VanDerWeide (Sioux Co.)</b>	AFO	500	6-01-05
<b>* Country Stores of Carroll, Ltd. (Carroll)</b>	UT	1,658	6-06-05
<b>Mehmert Tiling, Inc. (Cresco)</b>	UT	8,849	6-10-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
David Carlisle (Ringgold Co.)	SW	3,500	7-23-05
<b># Matt Hoffman (Plymouth Co.)</b>	AFO	750	8-08-05
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	8,500	12-29-05
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
<b>* Paul Shimp &amp; S &amp; V Fence Co. (Eldridge) (\$950/SEP)</b>	AQ	550	1-16-06
Iowa Regional Utilities Assoc.	WS	8,400	1-19-06
<b># Joel McNeil (Kossuth Co.)</b>	AFO	2,500	1-21-06
<b># Dale Schumann (Buena Vista Co.)</b>	AFO	4,000	1-29-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,500	2-03-06
TOMA Properties, LLC (Washington)	WS	1,000	2-17-06
Robert Plendl; Plendl Brothers Trucking (Kingsley)	UT	3,000	2-25-06
Anamosa, City of	WW	4,500	3-17-06
<b>#*Randy Hauan (Winnebago Co.)</b>	AFO	1,092	4-03-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
<b>#*Paul Rehder (O'Brien Co.)</b>	AFO	1,875	5-01-06

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

* Dennis Gailey (Moorland)	AQ/SW	2,200	5-01-06
Jeff Albrecht (Humboldt Co.)	AQ	500	5-06-06
Edward Branstad; Jordan Branstad (Winnebago Co.)	AQ/SW	8,000	5-10-06
# Bruce and Jill Rewoldt (Hardin Co.)	AFO	8,000	5-17-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
V. A. Enterprises, Inc. (Williamsburg)	WW	2,000	5-26-06
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	1,400	6-01-06
#*Rick Nikkel (Jasper Co.)	AFO	2,000	7-01-06
* John Danker (Lee Co.)	AQ/SW	4,301	7-22-06
Ernest J. Smith; Smith Fertilizer & Grain (Knoxville)	AQ/SW	3,000	6-09-06
West Central Cooperative (Ralston)	WW	3,000	6-12-06
Point Builders LLC; Steve Crawford (Mason City)	WW	2,000	6-16-06
James L. Heal; A-1 Imports (Homestead)	WW/SW	10,000	6-18-06
#*Greg Gerber (Lyon Co.)	AFO	375	6-21-06
#*Rick Halma (Lyon Co.)	AFO	2,100	7-01-06
* Crestview Mobile Home Park (Ames)	WW	3,750	7-01-06
* Country Terrace Mobile Home Park (Ames)	WW	1,790	7-01-06
#*Galen Drent (Boyden)	AFO	2,672	7-01-06
* Curt Kline; Connie Kline (Dunlap)	AQ	2,500	7-01-06
#*E & N Farms, Ltd. (Lyon Co.)	AFO	2,000	7-01-06
#*John Kajewski (Cylinder)	AFO	750	7-01-06
* Wayne Staab (Plymouth Co.)	AQ	750	7-01-06
* Fred Miller; Earthworks Contracting (Quimby)	AQ	8,736	7-15-06
#*Randy Gergen; R & D Farms (Sioux Co.)	AFO	2,625	7-15-06
* <b>Midway Water &amp; Lighting Co., Inc. (Marion)</b>	WS	2,300	7-20-06
#*Dennis Kuehl (Cass Co.)	AFO	1,500	10-15-06
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	-----
Rock Valley Rural Water System	WS	8,000	-----
# Harvey Driesen (Sioux Co.)	AFO	3,000	-----
<b>TOTAL</b>		<b>526,629</b>	

The following cases have been referred to the Attorney General:

Long Branch Tavern (Monmouth)	WS	100
Long Branch Tavern (Monmouth)	WS	6,400
Long Branch Tavern (Monmouth)	WS	200
The Universal Assembly of Christians; Marsha Leigh	AQ/SW	10,000
Pat Kelly d/b/a Kelly Construction (Denison)	UT	1,860
Roger Ginger d/b/a L & L Standard (Everly)	UT	5,750
# Jim Dos (Black Hawk Co.)	AFO	3,000
# Travis Aldag (Ida Co.)	AFO	3,000
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	7,300
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	6,000
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070
Relative, Inc.; Doug Smuck (Des Moines)	UT	600
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000
Randy Ballard (Fayette Co.)	FP	2,000
Edward Bodensteiner (Des Moines)	UT	3,200
Hofer's Danceland Ballroom (Walford)	WS	3,200
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000
#*Harold Unternahrer (Washington Co.)	AFO	700
Hofer's Danceland Ballroom (Walford)	WS	100

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800
Jim Walker (Johnson Co.)	AQ/SW	3,000
Iowa Millenium Investors, LLC (Sumner)	UT	4,000
Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids)	SW	5,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Plain Salvage Inc. (Sac City)	AQ/SW	10,000
Wisconsin North dba National Petroleum (Clinton)	UT	2,840
Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.)	SW	10,000
Marvin Oberly (Burlington)	WW	1,300
Mark Buringrud fdbs Carpenter Bar & Grill (Carpenter)	WS	2,500
Richard Davis (Monroe Co.)	AQ	8,000
Honey Creek Campground (Crescent)	WS	1,000
Ryan Barton; Theresa Barton (Kellerton)	AQ/SW	1,000
Mobile World LC (Camanche)	AQ/SW	10,000
Oran Pub & Grill (Fairbank)	WS	100
M.A., Inc.; Spring Grove Mobile Home Park (Burlington)	WW	7,000
M.A., Inc.; Westside Park for Mobile Homes (Lee Co.)	WW	7,000
<b>John Jolin; Michael Kolbold (Sioux City)</b>	<b>UT</b>	<b>5,260</b>
Dave Paplow (Indianola)	AQ/SW	5,000
Meadow Mist Motel (Fayette Co.)	WS	500
Park View Motel (Oelwein)	WS	750
Plantation Village Mobile Home Park (Burlington)	WS	500
# <b>Dean Pedersen (Pocahontas Co.)</b>	AFO	450
<b>TOTAL</b>		<b>164,480</b>

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Dallas County Care Facility (Adel)	WW	2,500
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
# Dan Witt (Clinton Co.)	AFO	3,000
Dallas County Care Facility (Adel)	WW	5,000
Kevin Wallerich (Keota)	SW/WW	500
# Doug Wedemeyer (Adair Co.)	AFO	2,500
Mt. Pleasant, City of	WW	500
# Kenneth Dahlhauser (Whittemore)	AFO	2,500
Stanley Siems (Hardin Co.)	AQ/SW	10,000
Schell Family Partnership (Boone Co.)	HC/SW	5,000
Chelsea, City of	WW	3,000
# Doug Osweiler (South English)	AFO	5,000
# Ray Slach (Cedar Co.)	AFO	3,000
# Iowa Select Farms, LP; Swartz Finisher Farm (Hardin Co.)	AFO	500
# Natural Pork Production, II LLC (Shelby Co.)	AFO	5,000
Roger Eblen; Eblen Develop.; (Whispering Woods-Council Bluffs) (10,000/each)	WW	20,000
# Iowa Select Farms, L.P.; Kerrigan Facility (Union Co.)	AFO	1,000
# D & D Ag Enterprises, LLC (Union Co.)	AFO	2,000
# Iowa Select Farms, Inc.; Clarke Sow (Clarke/Union Co.)	AFO	5,000
# Southern Waste Handling, Inc. (Mr. Ayr)	AFO	7,000
Country Living MHP (Altoona)	WW	5,000
Strawberry Point, City of	WW	10,000

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

B & H Food & Gas, Inc. (Davenport)	UT	10,000
U.S. Nation Mart, Inc. (Davenport)	UT	10,000
Tegh, Inc. (Bettendorf)	UT	8,500
# Jeff Holland (Winnebago Co.)	AFO	5,500
Pocahontas, City of	WW	5,000
# T. Patrick and Laurie Cashman (Deep River)	AFO	750
# Bob Kerrigan (Union Co.)	AFO	750
Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
# Gettler Dairy (Guthrie Co.)	AFO	5,000
Iowa Ethanol, LLC; Reilly Construction Co. (Worth Co.)	WW	10,000
Broin & Assoc., Inc.; Iowa Ethanol, LLC (Worth Co.)	WS/WW	10,000
Broin & Assoc., Inc.; Otter Creek Ethanol (Osceola Co.)	WW	10,000
# Tim Trostel (Butler Co.)	AFO	2,000
# James Axtell (Hardin Co.)	AFO	500
Iowa Falls, City of	WW	10,000
LeMars, City of	WW	9,000
Ben Haven Mobile Home Park (Quasqueton)	WS	3,000
Alton, City of	FP	5,000
# Jansma Cattle Co., Inc. (Lyon Co.)	AFO	10,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
# Michael Veenstra; Allan Veenstra (Mahaska Co.)	AFO	5,000
# Robin Hewer (Clinton Co.)	AFO	3,000
Marvin Bates (Iowa Co.)	AQ/SW/WW	10,000
# Dennis Rowenhorst (Sioux Co.)	AFO	3,000
F. J. Krob & Co. (Walker)	WW/HC	10,000
Fairwinds Corp.; Envirobate Mgmt. (Urbandale)	AQ	10,000
Gary Hart (Clinton)	AQ/SW	4,250
Cedar Rapids, City of	WW	5,000
Goose Lake, City of	WS	1,000
# Monty Unkrich (Jefferson Co.)	AFO	3,000
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000
Leland Heisdorffer (Keokuk Co.)	AQ/SW/WW	10,000
# Ted T. Smith (Buena Vista Co.)	AFO	3,000
# Natural Pork Production II, LLC (Shelby Co.)	AFO	300
# Jerry Vander Platts (O'Brien Co.)	AFO	3,000
S. J. Louis Construction, Inc. (Pleasant Hill)	WW	5,000
MKKS, LLC (Urbandale)	UT	4,600
MKKS, LLC (Windsor Heights)	UT	6,500
MKKS, LLC (West Des Moines)	UT	4,600
Monty Branstad (Winnebago Co.)	AQ/SW	8,000
Pleasant Hill, City of	WW	10,000
Lawler, City of	WW	3,000
Honey Creek Campground (Pottawattamie Co.)	WW	1,000
Peeters Development Co.; Mt. Joy MHP (Scott Co.)	WW	10,000
Randy Griffin (Jasper Co.)	AQ/SW	5,000
Hoover Land Corp.; River Road Golf Club (Algona)	WS	1,375
Colleen Weber (Mitchell Co.)	AQ/SW	1,500
Dirk Graves (Glenwood)	AQ	1,000
Ruby Field, Inc.; Ed Grafke (Sigourney)	UT	5,112
Goettsch Trucking and Seed, Inc. (Galva)	HC	5,500
Reginald Parcel (Henry Co.)	AQ/SW	1,000
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000
Larry Bergen (Worth Co.)	AQ/SW	2,000

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

# Douglas J. Pudenz (Carroll Co.)	AFO	8,000
# Scott Lenz (Carroll Co.)	AFO	8,000
Jack and Mary Hemmingson; Gold Key Motel (Hampton)	WS	5,215
# Larry Krogman (Lyon Co.)	AFO	3,000
# Alan Bakker (Sioux Co.)	AFO	6,000
<b>TOTAL</b>		<b>422,702</b>

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
* Dan Waterman; Waterman Backhoe; Waterman Septic (Maurice)	WW	1,000
* Curt Kline; Connie Kline (Dunlap)	AQ	2,500
#*Rick Nikkel (Jasper Co.)	AFO	250
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	100
#*Galen Drent (Boyden)	AFO	332
* Crestview Mobile Home Park (Ames)	WW	250
Rex Wagener dba Star Video (Storm Lake)	UT	6,000
* Country Terrace Mobile Home Park (Ames)	WW	110
# Rick Halma (Lyon Co.)	AFO	300
* <b>Midway Water &amp; Lighting Co., Inc. (Marion)</b>	WS	100
* Fred Miller; Earthworks Contracting (Quimby)	AQ	416
Traer Municipal Utilities	AQ	2,250
Duane Menke (Whispering Woods/Council Bluffs)	WW	1,000
# Sunray Pork, Ltd.; Tweedie Finisher Farm (Pocahontas Co.)	AFO	3,000
# Sunray Pork, Ltd.; Booth Finisher Farm (Palo Alto Co.)	AFO	2,000
# Maridale Farms, LLC dba Wirtjers Finisher Farm (Sac Co.)	AFO	2,000
* John Danker (Lee Co.)	AQ/SW	139
R. Excavating; Randy Golden (Council Bluffs)	WW	8,000
Jewell Golf & Country Club (Hamilton Co.)	AQ/SW	2,250
#*Gary R. Johnson (Allamakee Co.) PAID IN FULL	AFO	500
<b>TOTAL</b>		<b>32,497</b>

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

IOWA DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
RULEMAKING STATUS REPORT

July, 2006

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	PERIOD	COMMENT COMMISSION	FINAL SUMMARY TO ADOPTED	RULES PUBLISHED	RULES ARC #	COMMITTEE	RULES REVIEW EFFECTIVE	RULE
1. Ch. 20, 22, 31 and 33 – Air Quality Program Rules; PSD Rules	5/15/06	6/07/06	5154B	7/11/06	7/10/06	7/12/06	*8/21/06	*8/21/06	*9/13/06			*10/10/06	*10/18/06
2. Ch. 20, 21 and 34 – Adoption of Federal Clean Air Interstate Rule (CAIR)	12/19/05	1/18/06	4823B	2/07/06	2/27/06	2/21,22/06	5/15/06	5/15/06	6/07/06	5139B	7/11/06	7/12/06	
3. Ch. 22, 23 – Air Quality Program Rules – Updates, Revisions and Additions	3/20/06	4/12/06	5041B	5/09/06	5/12/06	5/16/06	6/19/06	6/19/06	*7/19/06			*8/08/06	*8/23/06
4. Ch. 23, 25 and 34 – Adoption of Federal Clean Air Mercury Rule (CAMR)	12/19/05	1/18/06	4824B	2/07/06	2/27/06	2/21,22/06	5/15/06	5/15/06	6/07/06	5140B	7/11/06	7/12/06	
5. Ch. 50-54 – Water Use and Water Allocation Rules	2/20/06	3/15/06	4982B	4/10/06	4/05/06	4/12/06	5/15/06	5/15/06	6/07/06	5155B	7/11/06	7/12/06	
6. Ch. 64 – Fee Collection for Wastewater Permits	10/17/05	11/09/05	4652B	12/13/05	11/29, 30/05 12/01/05	12/02/05	6/19/06	6/19/06	*7/19/06			*8/08/06	*8/23/06
7. Ch 65 – Designated Wetlands	11/21/05	12/21/05	4771B	1/10/06	1/19, 25, 26, 31/06	2/01/06	6/19/06	6/19/06	*7/19/06			*8/08/06	*8/23/06
8. Ch. 65 – Evaluation, Denial of or Condition of Construction Permits or Disapproval or Modification of MMPs for Confinement Feeding Operations	1/17/06	2/15/06	4898B	3/07/06	3/7-10/06	3/10/06	6/19/06	6/19/06	*7/19/06			*8/08/06	*8/23/06
9. Ch. 68 – Commercial Septic Tank Cleaners; Ch. 69 – Onsite Wastewater Treatment and Disposal Systems	3/20/06	4/12/06	5042B	5/09/06	5/3-4, 9, 10-11, 16/06	5/17/06	*8/21/06	*8/21/06	*9/13/06			*10/10/06	*10/18/06
10. Ch. 105 – Organic Materials Composting Facilities	1/17/06	2/15/06	4893B	3/07/06	3/15/06	3/15/06	5/15/06	5/15/06	6/06/06	5149B	7/11/06	7/12/06	
11. Ch. 135 – Uniform Environmental Covenants Policy and Procedures	2/20/06	3/15/06	4983B	4/04/06	4/05/06	4/07/06	6/19/06	6/19/06	*7/19/06			*8/08/06	*8/23/06

\* Projected



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<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	9/20/04 – DNR staff gathering information to submit to DNR management.
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Order/Penalty	AFO	Clark	4/20/04 – ISF and Dept. attorneys unsuccessful attempt to contact AG Wastes Consultants attorney.
7/13/00	Dan Witt	6	Order/Penalty	AFO	Clark	4/26/04 – Settlement invitation letter sent.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Negotiating before filing.
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal.
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 2/24/04 – Letter sent to attorney regarding resolving appeal. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule.
7/18/02	Mt. Pleasant, City of	6	Order/Penalty	WW	Hansen	\$500 penalty payment received for uncontested portion. 12/03 – Dept. letter with settlement offer. 1/30/04 – Dept. letter sent regarding settlement. 2/24/04 & 3/31/04 – Follow-up letters sent regarding settlement. 4/26/04 – Letter received from City attorney regarding Dept. settlement proposal.
7/23/02	Doug Wedemeyer	4	Order/Penalty	AFO	Clark*	4/30/04 – DNR letter sent.
8/25/02	Kenneth Dahlhauser	2	Order/Penalty	AFO	Clark	3/1/04 – Appellant's attorney agrees to send another settlement letter to client.
10/01/02	Stan Siems	2	Order/Penalty	AQ/SW	Tack	<b>Default judgement entered 4/12/06. Case closed.</b>

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11/22/02	Schell Family Partnership	5	Order/Penalty	SW/HC	Tack	Follow-up letter sent 4/17/06. Working through Brownsfields process.
11/27/02	Chelsea, City of	5	Order/Penalty	WW	Hansen*	9/18/03 – DNR letter. Will monitor for compliance through winter of 2004.
2/10/03	Doug Osweiler	6	Order/Penalty	AFO	Clark	Negotiating before filing.
2/24/03	Ray Slach	6	Order/Penalty	AFO	Clark	4/29/04 – Settlement invitation letter sent.
3/04/03	Iowa Select Farms; Swartz Finisher Farm	2	Order/Penalty	AFO	Clark	5/28/04 – Dept. makes counter offer in response to appellant's settlement offer. 6/15/04 – Second round of offers.
4/04/03	Natural Pork Production II, LLP (03-AFO-13)	6	Order/Penalty	AFO	Clark*	1/02/04 – DNR letter.
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
6/23/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Kerrigan Gilt/Union Co.)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/23/03	D & D Ag Enterprises LLC	4	Order/Penalty	AFO	Clark	Negotiating before filing.
7/10/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Clarke/Union)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/12/03	Southern Waste Handling, Inc.	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/29/03	Country Living Mobile Home Park	5	Order/Penalty	WW	Hansen	6/23/04 – Construction permit issued. Settlement offer will be made. 9/04 – Status report from Dept. engineer requested regarding project construction status. 10/05 – Status report requested from Dept. engineer. 11/05 – Facility upgrade completed. New NPDES permit requested for upgraded facility. 12/16/05 – Settlement offer received from MHP attorney.
9/05/03	Strawberry Point, City of	1	Order/Penalty	WW	Hansen*	1/5/04 – City to upgrade facilities, compliance will be monitored through 2005.
10/08/03	TEGH, Inc. (03-UT-15)	6	Order/Penalty	UT	Wornson	TEGH, Inc. no longer operator; questionable as a viable corporation. Review options.
10/27/03	B & Food & Gas, Inc. (03-UT-12)	6	Order/Penalty	UT	Wornson	B & H no longer operator; questionable as a viable corporation. Review options.

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10/27/03	U.S. Nation Mart, Inc. (03-UT-14)	6	Order/Penalty	UT	Wornson	Proposed settlement terms.
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	Negotiating before filing.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/29/03	T. Patrick Cashman; Laurie Cashman	5	Order/Penalty	AFO	Clark	Negotiating before filing.
1/21/04	Bob Kerrigan	4	Order/Penalty	AFO	Clark	Negotiating before filing.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	Negotiating before filing.
2/16/04	Iowa Ethanol, LLC; Reilly Construction Co., Inc.	2	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Otter Creek Ethanol, LLC	3	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Iowa Ethanol, LLC	2	Order/Penalty	WS/WW	Clark*	Meeting held 4/07/04.
2/18/04	Gettler Dairy, Inc.; Dave and Kristen Gettler	4	Order/Penalty	AFO	Clark	Negotiating before filing.
3/04/04	Tim Trostel	2	Order/Penalty	AFO	Clark	Negotiating before filing.
3/15/04	Iowa Falls, City of	2	Order/Penalty	WW	Hansen	6/04 – Dept. letter to City attorney regarding settlement.
3/16/04	Axtell Finishers; James Axtell	2	Order/Penalty	AFO	Clark	7/29/04 – Dept. reject Axtell's settlement offer and inquires if immediate transfer to DIA is desired.
4/02/04	LeMars, City of	3	Order/Penalty	WW	Hansen	4/02/04 – Meeting held to discuss settlement. 1/05 – Tentative agreement reached on settlement.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
4/16/04	Ben Haven Mobile Home Park	1	Order/Penalty	WS	Clark	Negotiating before filing.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.

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5/18/04	Alton, City of	3	Order/Penalty	FP	Clark	Negotiating before filing.
5/25/04	CDI, LLC	6	Permit Conditions	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.
5/27/04	CDI – Charles City	2	Permit Conditions	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.
6/11/04	University of Iowa	6	NPDES Permit	WW	Hansen	Negotiating before filing.
6/18/04	CDI – Charles City	2	Title V Permit Determination	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.
6/18/04	Phillip Renze	3	Order/Penalty	AFO	Clark	Negotiating before filing.
6/24/04	Jansma Cattle Co., Inc.	3	Order/Penalty	AFO	Tack*	Negotiating before filing.
6/28/04	Michael Veenstra; Alan Veenstra	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/28/04	Robin Hewer	6	Order/Penalty	AFO	Book	<b>Hearing rescheduled for 6/30/06. Settled, no hearing – awaiting final settlement documents.</b>
<b>6/28/04</b>	<b>Marvin Bates</b>	<b>6</b>	<b>Order/Penalty</b>	<b>AQ/SW/ WW</b>	<b>Tack</b>	<b>Settled by Consent Order issued 5/30/06. No penalty assessed. Case closed.</b>
8/06/04	Eldora, City of	1	Permit Conditions	WW	Hansen	WW Permits drafted NPDES permit with revised permit limits and compliance schedule. Legal Services to draft amended order with interim limits.
9/29/04	EnviroBate	4	Order/Penalty	AQ	Book	Waiting on response from company.
10/08/04	Goose Lake, City of	6	Order/Penalty	WS	Hansen	To be set for hearing.
10/12/04	Gary Hart	6	Order/Penalty	AQ/SW	Tack	Cleaning up property.
10/13/04	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
10/19/04	Cedar Rapids, City of	1	Order/Penalty	WW	Hansen*	To be set for hearing.
10/21/04	Eugene Kramer	1	Permit Denial	WR	Clark	Negotiating before filing.
10/26/04	Monty Unkrich	6	Order/Penalty	AFO	Book	<b>Unkrich requested new hearing date, waiting for new hearing date.</b>
<b>10/26/04</b>	<b>Puck Custom Enterprises; Natural Pork Production</b>	<b>4</b>	<b>Order/Penalty</b>	<b>AFO</b>	<b>Tack</b>	<b>Order rescinded on 5/12/06. Case closed.</b>

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11/02/04	Mike Elsbernd	1	Order/Penalty	AFO	Book	<b>Order and penalty affirmed. Inability to pay claim being evaluated by Department.</b>
11/10/04	Ted T. Smith	3	Order/Penalty	AFO	Clark	Negotiating before filing.
12/06/04	Jerry Vander Platts	3	Order/Penalty	AFO	Book	<b>Order and majority of penalty affirmed. Sent to DRF for collections 6/6/06.</b>
12/10/04	IPSCO, Inc.	6	Permit Conditions	AQ	Preziosi	Hearing set for 5/09/06. Motion to compel, discovery filed. Pre-hearing conference set for 4/25/06.
1/05/05	S.J. Louis Construction	5	Order/Penalty	WW	Hansen	To be set for hearing. 5/31/06 – Letter regarding appeal sent to company.
1/18/05	MKKS, LC (5 sites)	5	Order/Penalty	UT	Wornson	Sent to DIA to be set for hearing.
1/20/05	Pleasant Hill, City of	5	Order/Penalty	WW	Hansen	4/08/05 – Meeting with City regarding appeal and settlement. City made settlement offer regarding penalty. Offer rejected by DNR. City to provide further response by 5/05. No response received. To be set for hearing. 5/31/06 – Letter to City Attorney regarding appeal.
1/20/05	Monty Branstad	2	Order/Penalty	AQ/SW	Preziosi	Amended order issued. 3/28/06 – Amended order appealed. Setting up settlement meeting.
1/24/05	Lawler, City of	4	Order/Penalty	WW	Hansen	Negotiating before filing.
2/04/05	Honey Creek Campground	4	Order/Penalty	WW	Hansen	12/07/05 – Telephone call with Honey Creek attorney regarding hearing and compliance issues. 3/22/06 – Meeting at FO 4 with wastewater owner and attorney. 4/5/06 – FO4 inspection of campground. 5/12/06 – FO letter to facility regarding inspection. 5/22/06 – Letter received from Honey Creek attorney requesting waiver of penalty in view of inspection.
2/17/05	CDI, LLC	2	Permit Conditions	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/2/06.
2/24/05	Mt. Joy Mobile Home Park	1	Order/Penalty	WW	Hansen	Negotiating before filing.
3/08/05	Randy Griffin	5	Order/Penalty	AQ/SW	Tack	Clean-up underway.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Refer to DIA to be set for hearing. Reviewing settlement document.

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3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Refer to DIA to be set for hearing. Reviewing settlement document.
3/23/05	IPSCO (Muscatine)	6	Permit Conditions	AQ	Preziosi	Hearing reset for 5/09/06. Pre-hearing conference set for 4/25/06.
3/25/05	Hoover Land Corp.	2	Order/Penalty	WS	Hansen	Negotiating before filing.
<b>3/25/05</b>	<b>Colleen Weber</b>	<b>2</b>	<b>Order/Penalty</b>	<b>AQ/SW</b>	<b>Tack</b>	<b>Proposed decision upholding order issued on 4/04/06. Appeal to EPC filed on 4/21/06. 5/15/06 - Decision upheld by EPC. Case closed.</b>
4/04/05	Ruby Field; Ed Grafke	6	Order/Penalty	UT	Wornson	Settlement conference 10/27/05. UST closed in Dec., reserved penalty settlement. Financial inability claimed. Bank foreclosing. Considering options.
4/05/05	Dirk D. Graves	4	Order/Penalty	AQ	Tack	Clean –up underway.
5/02/05	Goettsch Trucking and Seed Co.	3	Order/Penalty	HC	Wornson	5/30/06 – Sent to DIA to be set for hearing.
5/25/05	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	Negotiating before filing.
8/05/05	Scott Lenz	4	Order/Penalty	AFO	Book	<b>Meeting scheduled for 7/18/06.</b>
8/11/05	Douglas Pudenz	4	Order/Penalty	AFO	Book	<b>Department’s offer with the producer.</b>
11/21/05	CDI, LLC	2	Construction Permit	AQ	Preziosi	Negotiating before filing.
1/27/06	Gold Key Motel	2	Order/Penalty	WS	Hansen	4/25/06 – Settlement offer discussed with WS owner rejected. 5/06 – Settled. Consent order terms agreed to by WS.
<b>2/16/06</b>	<b>Maridale Farms LLC</b>	<b>3</b>	<b>Order/Penalty</b>	<b>AFO</b>	<b>Book</b>	<b>Settled, penalty paid. Case closed.</b>
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.
3/07/06	Larry Bergen	2	Order/Penalty	AQ/SW	Schoenebaum	<b>Sent to DIA to be set for hearing.</b>
3/23/06	Larry Krogman	3	Order/Penalty	AFO	Book	<b>Waiting to hear from producer.</b>
3/28/06	Jordan Branstad; Edward Branstad	2	Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
4/07/06	Alan Bakker	3	Order/Penalty	AFO	Book	<b>Hearing scheduled for 7/24/06.</b>

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<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Aldag, Travis Ida Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed	7/18/05 11/29/05 12/01/05
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Dos, Jim Black Hawk Co. (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed Trial Date	7/18/05 11/29/05 12/28/05 11/06/06
Farmers Co-Operative Society Sioux Center (3)	Animal Feeding Operation	Discharge Limits; Prohibited Discharge – Confinement/Open Feedlot; Land Application Separation Distance; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred	3/20/06
Grain Processing Corp. Muscatine (6)	Air Quality	Emission Standards	Referred to Attorney General	Referred	2/21/05
Kruse Dairy Farm, Inc. Dyersville (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Landfill of Des Moines #4 Des Moines (5)	Solid Waste	Operation Permit Violations – Other	Referred to Attorney General	Referred	4/17/06
Leigh, Marsha Glenwood (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions Motion for Judgment on Default Order Granting Default Judgment (\$100,000/Civil; \$10,000/Admin. & Injunction)	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05 9/12/05 12/7/05

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Mobile World LC Camanche (6)	Air Quality Solid Waste	Illegal Disposal Open Burning	Order/Penalty	Referred	8/16/04
				Petition Filed	4/08/05
				Bankruptcy Petition Filed	4/13/05
				Plan for Reorganization	4/13/05
				Appearance by State in Bankruptcy	6/17/05
				Notice of Intent to Seek Default	3/03/06
				Appearance by Defendant	3/08/06
				Trial Date	11/19/06
Moellers, Kenneth Cresco (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria	Referred to AG	Referred	2/20/06
Northeast Iowa Citizens for Clean Water (NICCW)	Wastewater	DNR Defendant	Defense	Petition Filed	8/29/03
				DNR's Answer	9/25/03
				NICCW's Application for Stay	10/21/03
				NICCW's Brief for Stay	10/21/03
				DNR's Resistance	11/05/03
				DNR's Brief in Resistance	11/14/03
				Hearing on Motion	12/22/03
				Ruling Denying Stay	1/29/04
				NICCW's Motion to Reconsider	2/04/04
				DNR's Resistance	3/01/04
				Hearing on Motion to Reconsider	4/08/04
				Ruling Denying Motion to Reconsider	4/20/04
				NICCW's Application for Interlocutory Appeal	4/28/04
				DNR's Resistance to Interlocutory Appeal	5/11/04
				Supreme Court Order Denying NICCW's Appeal	6/08/04
				NICCW's Motion for Summary Judgment	2/25/05
				Trial Date	2/27/06
				State's Brief in Resistance to Motion for Partial Summary Judgment	5/16/05
				Hearing on Motion for Partial Summary Judgment	6/02/05
				Ruling Granting Partial Summary Judgment	6/22/05
				Agriprocessor's Variance Application	11/04/05
				IDNR's Variance Approval	11/30/05
				EPC's Review of Variances	12/19/05
				Draft NPDES Permit Amendment	2/22/06
				Public Hearing Date	3/28/06



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<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Trial Date Partial Judgment (Clean-up Order) Contempt Application Contempt Hearing Date Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03) Hearing Regarding Contempt Order Regarding Bond/Cleanup Deadline Bond Posted State Objections to Bond Ruling Denying Objections to Bond Status Hearing Date Hearing on Motion to Extend Cleanup Deadline Order Reinstating \$100,000 Civil Penalty	12/15/97 10/02/98 2/04/99 4/19/99 9/13/00 9/28/00 12/12/02 2/20/03 2/20/03  7/09/03 8/01/03  8/01/03 8/20/03 9/18/03 4/16/04 12/10/04  1/05/05
Pedersen, Dean Laurens (3)	Animal Feeding Operation	Failure to Update Plan	Referred to Attorney General	Referred	4/17/06
Peterson, David Lake Mills (2)	Animal Feeding Operation	Application in Excess of Crop Usage Rate; Prohibited Discharge – Confinement; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred	11/21/05
Plymouth Dairy Farms Plymouth Co. (3)	Animal Feeding Operation	Prohibited Discharge – Confinement; Record Keeping; Application in Excess of Crop Usage Rate; Freeboard	Referred to Attorney General	Referred Petition Filed	9/19/05 1/10/06
Robertson, Ryan Jefferson Co. (6)	<b>UPDATED</b> Wastewater	Stormwater Permit Violations	Referred to Attorney General	Referred Petition Filed Trial Date Consent Decree (\$12,500/Civil; Injunction)	4/27/05 9/26/05 8/30/06 6/12/06

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<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Roney, Jerry Huxley (5)	Underground Tank	Site Assessment	Order	Referred Petition Filed Application for Default Order Granting Default Motion to Set Aside Default Order Setting Aside Default Trial Date	5/16/05 12/08/05 1/13/06 1/31/06 2/17/06 3/14/06 6/08/06
Roquette America Keokuk (6) <b>UPDATED</b>	Air Quality	DNR Defendant	Defense	Petition Filed DNR's Answer DNR's Resistance to Temporary Injunction Hearing on Temporary Injunction DNR's Brief in Resistance Roquette's Brief Ruling on Temporary Injunction Trial Scheduling Conference Trial Date Motion for Continuance Order Granting Continuance Trial Date Trial Roquette's Request to Reopen Evidence IDNR Resistance to Reopening Evidence Roquette's Reply to Resistance IDNR Motion/Supp. Resistance	8/28/03 9/11/03  9/11/03 9/11/03 9/29/03 9/30/03 1/14/04 1/06/05 10/24/05 6/29/05 6/29/05 4/24/06 4/24-28/06 5/25/06  6/02/06 6/19/06 6/21/06
Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/Penalties	Referred Court Order Re-Referred Petition Filed Application for Contempt Contempt Hearing Order for Contempt (\$3,000 fine) Arrest Warrant Issued Contempt/Temporary Injunction Hearing Temporary Injunction Granted Contempt Hearing Date Contempt Hearing Order Finding Defendant in Contempt \$3,000 Fine Amended Petition	6/20/97 12/09/98 11/21/02 3/11/05 3/11/05 4/01/05 8/05/05 4/01/05 5/03/05  5/03/05 7/06/05 8/05/05 8/05/05  1/31/06
Simpson, Barry Worth Co.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed Answer Filed	10/18/04 11/04/04

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
July 1, 2006**

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Stone v. Rembrand Enterprises, Inc.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed	12/06/04
				State Motion to Dismiss	1/10/05
				Hearing	3/07/05
				Ruling Dismissing Damage Claims	5/17/05
				State's Motion for Summary Judgment	2/27/06
				Order Granting Continuance	3/20/06
				Hearing on Summary Judgment	5/01/06
Williams, Dean Stuart (2)	Underground Tank	Remedial Action	Referred to Attorney General	Referred	10/17/05
				Petition Filed	12/08/05
				Answer Filed	12/23/05
				Motion for Partial Summary Judgment	6/05/06

# Environmental Services Division Variance Report

7/5/2006

<b>Monthly Variance Report</b> June 2006						
Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	Kirst CREP Wetland Structure	Dam Safety	Dave Allen	Cam Design Freeboard	Approved	5/11/2006
2	City of Palmer	Waste Water	Satya Chennupati	Directional Boring Excavation	Approved	5/31/2006
3	City of Shenandoah	Air Quality	Dennis Thielen	Open Burning	Approved	5/31/2006
4	Atlantic Municipal Utilities	Air Quality	Dennis Thielen	Construction Permit	Denied	6/1/2006
5	Des Moines Water Works	Water Supply	Daryl Enfield	Chlorine Feed	Approved	6/2/2006
6	Alliant Energy - Ottumwa	Air Quality	Dennis Thielen	Test Burn	Approved	6/13/2006
7	Central Iowa Water Association	Water Supply	Bob Campbell	Ground Storage Reservoir	Approved	6/13/2006
8	Corn Belt Power Cooperative - Spencer	Air Quality	Tom Wuehr	Trial Burn	Approved	6/15/2006
9	Eden United Presbyterian Church - Rudd	Water Supply	Diana Overstake	Non-ASME pressure tanks	Approved	6/20/2006
10	DRA Properties, LLC	Dam Safety	Jeff Simmons	Bridge Design Freeboard	Approved	6/19/2006
11	Red Star Yeast - Cedar Rapids	Air Quality	Diane Brockshus	Extend Construction Deadline	Approved	6/21/2006

# Iowa Department of Natural Resources

## Environmental Services Division

### Report of Manure Releases

During the period June 1, 2006, through June 26, 2006, 1 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	13 (15)	1 (0)	2 (6)	1 (6)	9 (3)	12 (13)	1 (2)	0 (0)	0 (0)	1 (2)
November	8 (9)	0 (2)	1 (4)	3 (1)	4 (2)	6 (6)	2 (2)	0 (0)	0 (1)	1 (1)
December	2 (2)	0 (0)	1 (2)	0 (0)	1 (0)	0 (2)	2 (0)	0 (0)	0 (0)	0 (0)
January	3 (0)	0 (0)	2 (0)	1 (0)	0 (0)	1 (0)	2 (0)	0 (0)	0 (0)	0 (0)
February	2 (1)	0 (0)	1 (0)	0 (0)	1 (1)	1 (0)	1 (0)	0 (1)	0 (0)	0 (0)
March	2 (1)	1 (0)	1 (1)	0 (0)	0 (0)	0 (0)	2 (1)	0 (0)	0 (0)	2 (1)
April	6 (6)	0 (0)	2 (2)	2 (1)	2 (3)	6 (5)	0 (1)	0 (0)	0 (0)	1 (0)
May	6 (3)	0 (1)	3 (1)	3 (0)	0 (1)	5 (2)	1 (1)	0 (0)	0 (0)	0 (0)
June	1 (2)	0 (0)	0 (1)	0 (0)	1 (1)	1 (0)	0 (2)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	43 (39)	2 (3)	13 (17)	10 (8)	18 (11)	32 (28)	11 (9)	0 (1)	0 (1)	5 (4)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
0	0	1	0	0	0

**Iowa Department of Natural Resources  
Environmental Services  
Report of WW By-passes**

During the period June 1, 2006 through June 26, 2006, 9 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

<b>Month</b>	<b>Total</b>	<b>Avg. Length (days)</b>	<b>Avg. Volume (MGD)</b>	<b>Sampling Required</b>	<b>Fish Kill</b>
October '05	11(9)	0.672	0.691	3	0(0)
November '05	7(11)	0.167	0.045	2	0(0)
December '05	7(7)	0.028	0.010	2	0(0)
January '06	10(6)	0.441	0.002	2	0(0)
February '06	6(9)	0.238	0.006	2	0(0)
March '06	12(9)	0.155	0.026	1	0(0)
April '06	12(14)	0.073	0.134	2	0(0)
May '06	11(18)	0.135	0.004	3	0(0)
June '06	9(7)	0.342	0.076	5	0(0)
July '05	5(3)	0.454	0.004	3	0(0)
August '05	8(13)	0.072	0.019	3	0(0)
September '05	3(5)	0.361	0.003	0	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1	0	3	2	0	3

**DATE:** July 1, 2006

**TO:** EPC

**FROM:** Ed Tormey

**RE:** Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Spencer Hospital, Spencer (1)	Air Quality	Construction Without Permit; Monitoring/Reporting	Consent Order \$4,450	5/22/06
Michael Drae, Woodbury Co. (3)	Air Quality	Open Burning	Admin. Order \$6,000	6/05/06
Tim Kamstra, O'Brien Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Consent Order \$2,250	6/05/06
Sharon DeVos and Harold DeVos, Lyon Co. (3)	Air Quality Solid Waste Wastewater	Open Burning; Illegal Disposal; Prohibited Discharge	Admin. Order	6/07/06
The Jewell Golf & Country Club Co., Hamilton Co. (2)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$4,500	6/09/06
Early, City of (3)	Wastewater	Discharge Limits	Consent Order Stip. Penalties	6/14/06
Sunray Pork, Ltd. d/b/a Booth Finisher Farm, Palo Alto Co. (3)	Animal Feeding Operation	Record Keeping	Consent Order \$2,000	6/15/06
Pomeroy, City of (3)	Wastewater	Discharge Limits	Consent Order Stip. Penalties	6/15/06
Jones County; Edinburgh Manor, Anamosa (1)	Wastewater	Compliance Schedule; Operational Violations	Consent Order Stip. Penalties	6/26/06

Name, Location and  
Field Office Number

Program

Alleged Violation

Action

Date

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